

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING

2023 MAR 30 PM 1:01

MARGARET E. TWINS, CLERK
CASPER

NATALIE A. MATHER,

Plaintiff,

vs.

Case No. 2:22-CV-00223-SWS

STEPHANIE KNODEL, M.D., in her
official capacity, et al.,

Defendants.

ORDER

Plaintiff, proceeding *pro se* and *in forma pauperis*, brings this action pursuant to the Emergency Medical Treatment and Active Labor Act (“EMTALA”), 42 U.S.C. § 1395dd. The matter was referred to United States Magistrate Judge Kelly H. Rankin for initial proceedings including an initial pretrial conference. (*See* ECF No. 19.) On March 9, 2023, Judge Rankin issued a Report and Recommendation recommending that Plaintiff’s case be dismissed with prejudice for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. (ECF No. 30.) Plaintiff was advised of her right to object to the Report and Recommendation within fourteen days of service of Judge Rankin’s recommendation. (*Id.* at 5.)

Twenty days has since passed since Judge Rankin issued the Report and Recommendation.¹ No objection has been filed. Plaintiff has therefore waived any right to

¹ Additional days to object were inherently added given Plaintiff’s *pro se* status and service by postal mail. *See* Fed. R. Civ. P. 6(d). Plaintiff’s last known addresses were for “general delivery” at U.S. Post Offices in Wyoming. Copies of the show cause order (ECF No. 26) and the Magistrate Judge’s recommendation (ECF No. 30) were sent

appellate review of the factual and legal issues in the Report and Recommendation. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991); Fed. R. Civ. P. 72(b) Advisory Committee's note to 1983 amendment.

Accordingly, the Court ADOPTS the Report and Recommendation (ECF No. 30) and dismisses Plaintiff's claims with prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.²

IT IS THEREFORE ORDERED that the Plaintiff's case is **DISMISSED with prejudice** and the Clerk of Court is directed to close this case.

Dated this 30th day of March, 2023.



Scott W. Skavdahl
United States District Judge

to both addresses. The Magistrate Judge's recommendation was also sent to a previous address indicated in Plaintiff's Motion (ECF No. 7) regarding addresses for service on defendants. The Court notes that some mailings have been returned as undeliverable or "unclaimed."

² The Court notes that where the Report and Recommendation references Plaintiff's failure "to respond to Defendants' *Motion to Dismiss*," the named motion is a typographical error and should instead reference "Defendants' *Motion for Partial Summary Judgment*." (ECF No. 30 at 4 (emphasis added).) The mistake is non-substantive and does not alter this Court's adoption of the Report and Recommendation.